

Service Date: September 11, 1981

DEPARTMENT OF PUBLIC SERVICE REGULATION
BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MONTANA

* * * *

IN THE MATTER of the Application)	
of MONTANA-DAKOTA UTILITIES CO.)	UTILITY DIVISION
for Authorization to Issue Up to)	DOCKET NO. 81.7.64
\$25,000,000 of Promissory Notes.)	DEFAULT ORDER NO. 4838

On July 29, 1981, MONTANA-DAKOTA UTILITIES CO., hereinafter referred to as Applicant, a corporation organized and existing under and by virtue of the laws of the State of Delaware, and qualified to transact business in Montana, filed with the Montana Public Service Commission its verified application, pursuant to Title 69, Chapter 3, Part 5, MCA, requesting an order authorizing the issuance of up to \$25,000,000 of promissory notes, pursuant to an intermediate-term revolving credit agreement. For detailed information with respect to the general character of Applicant's business and the territory served by it, reference is made to its annual report on file with the Commission. Notice of the application was given and no objections or requests for hearing were received.

At a regular open session of the Montana Public Service Commission, held at its offices on September 8, 1981, there came before the Commission for final action the matters in this docket and the Commission having fully considered the application and all data and records pertaining thereto on file with the Commission and being fully advised in the premises, makes the following:

FINDINGS OF FACT

1. Applicant is a corporation organized and existing under and by virtue of the laws of the State of Delaware and is qualified to transact business in the State of Montana.
2. Applicant is operating as a public utility as defined in 69-3-101, MCA, and as such is engaged in furnishing electric and gas service in Montana.
3. The Commission has jurisdiction over the subject matter of said application under Title 69, Chapter 3, Part 5, MCA.
4. Public notice of the filing of the application and opportunity for a public hearing was published as a legal notice in the following newspapers: The August 12, 1981 editions of the Hardin Herald, Miles City Star, Plentywood Herald and Sidney Herald; the August 13, 1981 editions of the Fallon County Times, the Glasgow Courier, and the Ranger Review; and the August 18, 1981 edition of the Billings Gazette. The notice stated that if there were any protests to the application they were to be received by the Commission on or before September 4, 1981. No protests or requests for hearing have been received by the Commission.
5. The promissory notes proposed to be issued are not to exceed an aggregate principal amount of \$25,000,000 at any one time. These notes will be issued pursuant to an intermediate - term revolving credit agreement.
6. The proceeds from the issuance of the promissory notes will be used to partially repay short-term borrowings incurred therefore to finance the Applicant's 1981, 1982 and 1983 utility capital requirements.
7. The transactions proposed by Applicant (1) are consistent with the public interest; (2) are for a purpose or purposes permitted under the laws of the State of Montana; and (3) will not result in a situation in which the aggregate amount of the notes outstanding and proposed herein to be outstanding will exceed the fair value of the properties and business of the Applicant.

CONCLUSIONS OF LAW

That the application herein complies with Sections 69-3-501 through 69-3-507, MCA, inclusive, and the other laws of the State of Montana as aforesaid and the same should be granted as hereinafter ordered.

ORDER

NOW THEREFORE, at a session of the Public Service Commission of the State of Montana, held in its offices at 1227 Eleventh Avenue, Helena, Montana, on September 8, 1981, there regularly came before the Commission for final action the application for authority to issue up to \$25,000,000 of promissory notes due no later than December 31, 1984, pursuant to an intermediate-term revolving credit agreement, and assigned Docket No. 81.7.64, and the Commission being fully advised in the premises;

IT IS HEREBY ORDERED that the application of Montana-Dakota Utilities Co. for authority to issue up to \$25,000,000 of promissory notes due no later than December 31, 1984 pursuant to an intermediate - term revolving credit agreement is hereby approved and authority is granted.

Neither the issuance of promissory notes by Montana-Dakota Utilities Co. pursuant to the provisions of this Order nor any other act or deed done or performed in connection therewith shall be construed to obligate the State of Montana to pay or guarantee in any manner whatsoever any promissory note authorized, issued, assumed or guaranteed hereunder. Issuance of this order does not constitute acceptance of the Applicant's exhibits or other material accompanying the application any purpose other than the issuance of this order.

DONE IN OPEN SESSION at Helena, Montana on September 8, 1981 by a 5 - 0 vote.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

Gordon E. Bollinger, Chairman

Clyde Jarvis, Commissioner

Thomas J. Schneider, Commissioner

Howard Ellis, Commissioner

John B. Driscoll, Commissioner

ATTEST:

Madeline L. Cottrill
Secretary

(SEAL)

NOTICE: You may be entitled to judicial review of the final decision in this matter. If no Motion for Reconsideration is filed, judicial review may be obtained by filing a petition for review within thirty (30) days from the service of this order. If a Motion for Reconsideration is filed, a Commission order is final for purpose of appeal upon the entry of a ruling on that motion, or noon the passage of ten (10) days following the filing of that motion. cf. the Montana Administrative Procedure Act, esp. Sec. 2-4-702, MCA, and Commission Rules of Practice and Procedure, esp. 38.2.2 (64) —P2750, ARM.